

Notice of Allowability

Application No.

10/696,310

Examiner

Quynh H. Nguyen

Applicant(s)

LAZARUS, DAVID BERYL

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendments and remarks filed 3/21/06.
2. ☒ The allowed claim(s) is/are 1-4,6-8,11,14-17,19, and 21 renumbered as claims 1-14.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

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EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

2. Authorization for this examiner's amendment was given in a telephone interview with Mr. Benjamin D. Driscoll on 5/24/06.

3. Claims 1 and 16 have been amended as follows:

1. (Presently amended) A method for operating a telephony device comprising:
detecting a hook status of the telephony device coupled to an out-of-service Internet Protocol telephone line by:

applying a loop current to the out-of-service telephone line for a first predetermined period sufficient to detect a hook status; and

removing the loop current from the out-of-service telephone line after the first predetermined period for a second predetermined period, which is significantly longer than the first predetermined period; and

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sending a message to the telephony device indicating that the Internet Protocol telephone line is out-of-service; and

detecting one or more Dual Tone Multiple Frequency tones on the out-of-service Internet Protocol telephone line.

6. (Presently amended) The method according to claim 5 1, further comprising:
signaling a call agent to establish a connection between the out-of-service Internet Protocol telephone line and a predetermined service provider.

16. (Presently Amended) An apparatus comprising:
an Internet Protocol interface coupled to an Internet Protocol telephone line, which is provisioned as out-of-service;
a telephone port to couple to a telephony device; and
a processor detecting a hook status of the telephony device coupled to the telephone port by applying a loop current to the out-of-service telephone line for a first predetermined period sufficient to detect a hook status and removing the loop current from the out-of-service telephone line after the first predetermined period for a second predetermined period, which is significantly longer than the first predetermined period, and generating a message to be output to the telephony device indicating that the Internet Protocol telephone line is out-of-service, and detecting one or more Dual Tone Multiple Frequency tones to be output over the out-of-service Internet Protocol telephone line.

19. (Presently Amended) The apparatus according to claim ~~48~~ 16, wherein the processor signals a call agent to establish a connection between the out-of-service Internet Protocol telephone line and a predetermined service provider.

4. Claims 5 and 18 are cancelled.